

DI
BX

53 j. ~~the flange of the female grommet has an annular~~
54 ~~concavity surrounding the tube portion of the~~
55 ~~female grommet; and~~
56 k. ~~wherein the flange of the female grommet has a~~
57 ~~plurality of radial, circumferentially spaced~~
58 ~~stiffening ribs formed in the concavity between~~
59 ~~the tube portion and the outer peripheral portion~~
60 ~~of the female grommet.~~

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

The rejection of Claims 1, 2, 7, 9-11, 14-16 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Kasai in view of Frano is respectfully traversed.

The rejection states that the female grommet of Kasai has an outer tube portion adapted to be inserted into a hole formed in the fabric, relying upon column 3, lines 36-48 of Kasai. Nothing of the sort is taught or suggested by Kasai. In Kasai the female member is a seat plate 6. This plate has no outer tube portion. Indeed, such an outer tube portion would be contra-indicated, for two reasons.

First, the male member of Kasai has a tube portion that fits in a circular hole in the fabric 12. The hole has a diameter slightly smaller than the outer diameter of the cylindrical portion 2 of the male member 1. See column 3, lines 36-42. There is no room in the hole for an outer tube portion of the plate 6.

Second, the female member is clearly intended to be merely a plate. The projections 4a of the male member cooperate with engaging portions 8 on the seat plate 6 below the fabric 12, and the grooves 9 impart resilient flexibility to the engaging portions 8 of the plate below the fabric 12. See column 3, lines 28-30.

There is no basis in the prior art for the proposed combination of the teachings of Frano with the teachings of Kasai. Indeed, as is evident from the foregoing discussion of Kasai, the intended operation of the eyelet assembly of Kasai would be destroyed if the female plate had an outer tube portion as taught by Frano. Accordingly, independent Claim 1 and the claims dependent thereon should be allowed.

Claim 7 recites that a flange of one of the grommets has an annular concavity surrounding the tube portion of that grommet, and Claim 10 recites that the flange of the

female grommet has an annular concavity surrounding the tube portion of the female grommet.

With regard to Claims 7 and 10, the rejection states that Kasai includes annular concavity portions 9 surrounding the outer tube portion of the female grommet. As stated earlier, in Kasai the female plate 6 has no outer tube portion. Furthermore, the grooves 9 in the female plate of Kasai are not annular, and there is no annular concavity surrounding any tube portion of the plate 6 of Kasai. The male member 1 of Kasai has a tube portion, but there is no annular concavity surrounding that tube portion.

Independent Claim 15 recites that the flange of the female grommet has an annular concavity surrounding the tube portion and facing the mat and that a portion of the mat is received in the concavity of the female grommet. It is apparent from the foregoing discussion vis-a-vis Claims 1, 7, and 10, that Claim 15 distinguishes patentably from Kasai and Frano. Furthermore, it is apparent from Fig. 6 of Kasai that the fabric 12 is not received in the grooves 9 of the plate 6. Accordingly, Claim 15 and the claims dependent thereon should be allowed.

Claims 3-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasai in view of Frano and further in view of Bailey. With regard to Claim 6, the rejection states that the male grommet of Kasai is made of a soft plastic and the female grommet is made of a hard plastic and is deformable. Claim 6 recites that the resin material of each of the female and male grommets has a low elastic modulus and is substantially deformable. The hard plastic material of the seat plate 6 of Kasai is distinguished from the soft plastic material of the eyelet body 1 of Kasai, so both the female and male members of Kasai are not formed of a resin material having a low elastic modulus that is substantially deformable.

Claims 8 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasai in view of Frano and further in view of Bell. Claim 8 recites that the flange of each grommet has an annular concavity surrounding the tube portion of that grommet. It is apparent from the foregoing discussion that the combination of Kasai and Frano is inappropriate in the rejection of Claim 8. Furthermore, there is no basis for combining the teachings of Bell with the teachings of Kasai and Frano as proposed in the rejection. Clearly, there is no teaching or

suggestion in the prior art of the mat fastener of Claim 8, wherein the flange of each grommet has an annular concavity surrounding the tube portion of that grommet.

Claim 17 recites that the flange of the male grommet has an annular concavity surrounding the tube portion of the male grommet and facing the mat, and that the mat is sandwiched between the concavities of the grommets. There is no suggestion in Kasai and Frano of a male grommet having an annular concavity surrounding the tube portion of that grommet, and Bell does not compensate for the deficiencies of Kasai and Frano.

The rejection of Claim 17 alleges that the structural component 19 of Bell is received within an annular concavity. It is apparent from the drawings of Bell that this is not the case. Moreover, Claim 17 (incorporating the subject matter of base Claim 15) requires that both the female grommet and the male grommet have an annular concavity surrounding the tube portion of each grommet and that a portion of the mat is received in each concavity. See, e.g., Figs. 9-11 of Applicant's drawings. There is no basis whatsoever for combining the teachings of the references in any manner that would render the subject matter of Claim 17 obvious.

Claim 12, which was merely objected to, has been rewritten in independent form.

A marked-up copy of amended Claim 12 is attached.

This application is now believed to be clearly in condition for allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

NHS:lmb:sjk

Miles & Stockbridge P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102
(703) 903-9000

By: Nelson H. Shapiro
Nelson H. Shapiro
Reg. No. 17,095

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on June 24, 2003.

Nelson H. Shapiro
Nelson H. Shapiro

Marked-up Version of the Claim:

- 1 12. (Amended) [The mat fastener claimed in Claim
2 10,] A mat fastener for connection to a floor mat of an
3 automobile comprising:
4
5 a. a male grommet made of a resin material;
6
7 b. a female grommet made of a resin material;
8
9 c. the female grommet having an outer tube portion
10 having opposite open ends and adapted to be
11 inserted into a hole formed in the floor mat;
12
13 d. the female grommet having a flange formed at an
14 outer periphery of one of the ends of the outer
15 tube portion and being adapted to be in contact
16 with one side surface of the mat, the outer tube
17 portion projecting axially beyond the flange of
18 the female grommet for insertion into the hole
19 formed in the floor mat;
20
21 e. the male grommet having an inner tube portion
22 having opposite open ends and adapted to be
23 inserted into the outer tube portion of the
24 female grommet and a flange formed at an outer
25 periphery of one of the ends of the inner tube
26 portion;
27

- 28 f. the flange of the male grommet adapted to be in
29 contact with another side surface of the mat;
30 wherein:
31
- 32 g. each of the outer and inner tube portions is
33 provided with an engagement means for coupling
34 the female and male grommets to each other so
35 that, upon engagement thereof, one of the
36 flanges of the grommets is adapted to be brought
37 into contact with one of the side surfaces of
38 the mat around the mat hole and the other flange
39 of the grommets is adapted to be brought into
40 contact with the other side surface of the mat,
41 whereby the mat fastener is fastened to the mat
42 with the mat sandwiched between the flanges;
43
- 44 h. one of the flanges of the male and female
45 grommets has a larger outside dimension than
46 that of the other thereof;
47
- 48 i. each of the flanges has an outer peripheral
49 portion formed in a curve shape to be directed
50 toward the mat to allow each of the flanges to
51 bite into the mat when the male and female
52 grommets are coupled to each other by the
53 engagement means;

54 j. the flange of the female grommet has an annular
55 concavity surrounding the tube portion of the
56 female grommet; and
57 k. wherein the flange of the female grommet has a
58 plurality of radial, circumferentially spaced stiffening
59 ribs formed in the concavity between the tube portion and
60 the outer peripheral portion of the female grommet.